



Doc# 2302357032 Fee \$93.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 01/23/2023 03:43 PM PG: 1 OF 16

PREPARED BY:

Name: ExxonMobil Oil Corporation
Attention: Mr. Regan O'Brien

Address: 1900 E. Linden Avenue, Building 28a
Linden, New Jersey 07036

RETURN TO:

Name: ExxonMobil Oil Corporation
Attention: Mr. Regan O'Brien

Address: 1900 E. Linden Avenue, Building 28a
Linden, New Jersey 07036

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF WILL COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA No.: 1974865007

Leaking UST Incident No.: 902094 & 902139

ExxonMobil Oil Corporation, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1900 E. Linden Avenue, Building 28a, Linden, New Jersey, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attached
2. Common Address: 3400 Steger Road, Steger, Illinois
3. Real Estate Tax Index/Parcel Index Number: 23-15-204-034-0000
4. Site Owner: Bhaganwali, Inc. (Rajwinder Kaur)
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply. The land use shall be industrial/commercial.
6. See the attached No Further Remediation Letter for other terms.

jrm

Leaking Underground Storage Tank Environmental Notice

S Y
P IG
S Y-I
SC V
INT ER

UNOFFICIAL COPY

LEGAL DESCRIPTION:

LOTS 1 THRU 5 IN BLK 9 IN THE ORIGINAL TOWN OF COLUMBIA HEIGHTS, A SUB OF PRT OF THE E1/2 NE1/4 OF SEC 5, T34N-R14E. (CONSOL PER PET# 97-170) REF # 679 08-27-98 LW & ALSO THE E1/2 OF NOW VACATED N & S ALLEY LYING CONTIGOUS WITH THE W LN OF SD LOTS 1 THRU 5 & LYING S OF THE N LN OF LOT 1 & N OF THE S LN OF LOT 5 IN SD SUB. REVISED DESCRIPTION/ALLEY VACATION PER R98-014670. 04-06-99 LW REF# 1312

ALSO KNOWN AS:

TAX PARCEL ID No: 23-15-05-204-034-0000
ADDRESS: 3400 Chicago Rd, Steger, IL 60475

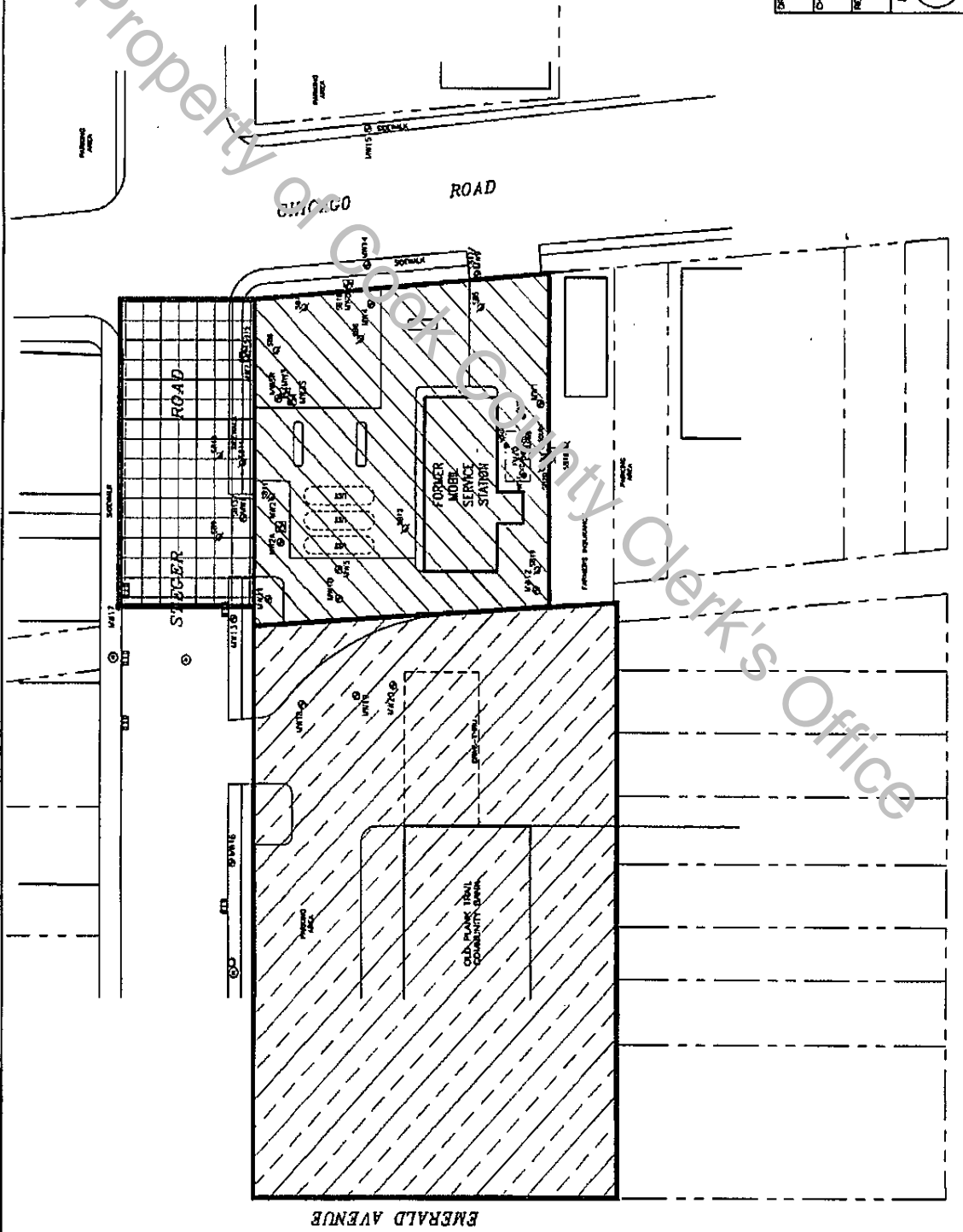
Property of Cook County Clerk's Office

UNOFFICIAL COPY



LEGEND

- PROPERTY BOUNDARY
- CATCH BASIN
- STREET LIGHT
- UTILITY MANHOLE
- FORMER USED OIL EXCAVATION
- DISPENSER ISLAND
- MONITORING WELL
- DESTROYED MONITORING WELL
- SOIL BORING
- AREA SUBJECT TO IDOT HIGHWAY AUTHORITY AGREEMENT (HAA)
- AREA SUBJECT TO ENVIRONMENTAL LAND USE CONTROL AGREEMENT
- AREA SUBJECT TO INDUSTRIAL/COMMERCIAL LAND USE RESTRICTION, GROUNDWATER PROTECTION, CONSTRUCTION WORKER SAFETY AND PUBLIC ACCESS - BASEMENT FOUNDATION OF FULL CONCRETE BASEMENT FLOOR AND WALLS WITH NO SUMPS



INSTITUTIONAL CONTROLS MAP EXXONMOBIL OIL CORPORATION FORMER MOBIL STATION #05-12L 3400 CHICAGO ROAD STIEGER, ILLINOIS	SCALE IN FEET 0 40	DATE 12-1-22	FIGURE
DRAWN BY: E.V. (N.J.)	CHECKED BY:	REVIEWED BY:	NORTH
Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60504			



UNOFFICIAL COPY

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217) 524-3300

CERTIFIED MAIL

DEC 28 2022

7021 2720 0002 0464 1910

ExxonMobil Oil Corporation
 Attention: Mr. Regan O'Brien
 1900 E. Linden Avenue, Building 28a
 Linden, New Jersey 07036

Re: 1974855007 -- Will County
 Steger Mobile Oil #05-L2L
 3400 Chicago Road
 Leaking UST Incident 902094 & 902139
 Leaking UST Technical File

Dear Mr. O'Brien:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated October 27, 2022 and was received by the Illinois EPA on November 1, 2022. Citations in this letter are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and associated Professional Engineer Certification submitted pursuant to Section 57.7(b)(5) of the Act indicate corrective action for the above-referenced site was conducted in accordance with the Corrective Action Plan approved by the Illinois EPA. The Corrective Action Completion Report demonstrates that the requirements of Section 57.7(b) of the Act have been satisfied.

Based upon the certification by Mr. Douglas J. Riggs, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

1. ExxonMobil Oil Corporation, the owner or operator of the underground storage tank system(s).

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
 1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
 9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
 595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
 432 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
 4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

UNOFFICIAL COPY

Page 2

2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, an accurate and official copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives have been established in accordance with an industrial/commercial land use limitation. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.

UNOFFICIAL COPY

Page 3

2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: The groundwater under the site shall not be used as a potable water supply. The land use shall be industrial/commercial.
3. The land use limitation specified in this Letter may be revised if:
 - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: The groundwater under the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used as a potable supply of water. No person shall construct, install, maintain, or utilize a potable water supply well. In accordance with Section 3.65 of the Act, "potable" means generally fit for human consumption in accordance with accepted water supply principles and practices.

Prior to commencement of any future excavation and/or construction in or near the contaminated zone of the remediation site, a safety plan for this remediation site is required that is consistent with the National Institute for Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities; Occupational Safety and Health Administration regulations, particularly in 29 CFR 1910 and 1926; state and local regulations; and other United States EPA guidance as provided. At a minimum, the plan should address possible worker exposure if any future excavation and construction activities occur within the contaminated soil.

Engineering: None.

Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.

UNOFFICIAL COPY

Page 4

Concrete Base with No Open Sumps

Any existing or potential building constructed within the area depicted on the attached site map must have a full concrete slab-on-grade or a full concrete basement floor and walls with no sumps.

Environmental Land Use Control

The owner or operator acknowledges and agrees that issuance of this Letter is based upon an agreement by the property owner(s) of the real property located at the common address 20 West 34th Street (Steger Road), Steger, Illinois (Property), through the use of the recorded Environmental Land Use Control (ELUC). Specifically, the owner(s) of the Property has agreed, for himself/herself and his/her heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property, or the holder of any portion thereof or interest therein, that certain limitations or requirements have been imposed upon the use of the Property in accordance with the terms and conditions of the recorded ELUC. Unless other remedies that may be available are satisfied, a failure to comply with the limitations or requirements of the recorded ELUC may result in voidance of this Letter. The failure to comply with the limitations or requirements of the recorded ELUC may also be grounds for an enforcement action pursuant to Title VIII of the Act.

Information regarding the recorded ELUC and/or remediation performed on the Property may be obtained from the Illinois EPA through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this Letter.

Highway Authority Agreement

Department of Transportation and Highways, Cook County, Illinois agrees, through the use of a Highway Authority Agreement, to allow contaminated groundwater and/or soils to remain beneath its highway right-of-way adjacent to the site located at 3400 Steger Road, Steger, Illinois. Specifically, as shown on the attached map, contamination will remain in the right-of-way for Steger Road as indicated in the Highway Authority Agreement. The Highway Authority agrees to: (a) prohibit the use of groundwater under the highway right-of-way that is contaminated above Tier 1 groundwater remediation objectives as a potable or other domestic supply of water, and (b) limit access to soil contamination under the highway right-of-way that is contaminated above residential Tier 1 soil remediation objectives.

UNOFFICIAL COPY

Page 5

A copy of the Highway Authority Agreement can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this letter. Questions regarding the Highway Authority Agreement should be directed to:

Cook County Bureau of Administration
 Department of Transportation and Highways
 Attention: Superintendent
 69 West Washington Street, 24th Floor
 Chicago, Illinois 60602

5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan, if applicable, may result in avoidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
 Attention: Freedom of Information Act Officer
 Division of Records Management - #16
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

8. Pursuant to 35 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the owner or operator of the leaking underground storage tank system(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of the avoidance. Specific acts or omissions that may result in the avoidance of this Letter include, but shall not be limited to:
 - a. Any violation of institutional controls or industrial/commercial land use restrictions;

UNOFFICIAL COPY

Page 6

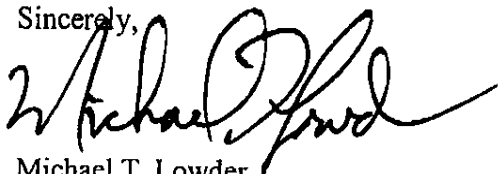
- b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c. The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
- d. The failure to comply with the recording requirements for the Letter;
- e. Obtaining the Letter by fraud or misrepresentation; or
- f. Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

Submit an accurate and official copy of this Letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

If you have any questions or need further assistance, please contact James R. Malcom, III at (217) 524-9140 or at James.Malcom@illinois.gov.

Sincerely,



Michael T. Lowder
Unit Manager
Leaking Underground Storage Tank Section
Bureau of Land

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Map
Legal Description

- c: GES, Melissa Blaha (electronic copy), Mblaha@gesonline.com
BOL File

UNOFFICIAL COPY

**AFFIDAVIT FOR CERTIFICATION of
DOCUMENT COPY
(55 ILCS 5/3-5013)**

STATE OF ILLINOIS }
 } ss.
COOK COUNTY }

I, (print name) Tim Hoff being duly sworn, state that I have access to the copies of the attached document(s) (state type(s) of document(s)) Leaking Underground Storage Tank Environmental Notice (No Further Remediation Letter)

as executed by (name(s) of party(ies)) the Illinois Environmental Protection Agency

My relationship to the document is (ex. – Title Company, agent, attorney)
Environmental Consultant

I state under oath that the original of this document is lost, or not in possession of the party needing to record the same. To the best of my knowledge the original document was not intentionally destroyed or in any manner disposed of for the purpose of introducing a copy thereof in place of the original.

Affiant has personal knowledge that the foregoing statements are true.



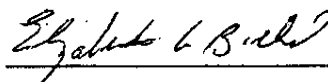
Signature

01/6/2023

Date

Subscribed and sworn to before me

this 6th day of January, 2023



Notary Public

SEAL

